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EXAMINER

FILIPCZYK, MARCIN R

ART UNIT

PAPER NUMBER

2163

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/809,578

Applicant(s)

RISING ET AL.

Examiner

Marc R. Filipczyk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Response to Amendment

This Action is responsive to Applicant's amendment submitted on December 19, 2005.

Claims 1-35 are pending.

To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. amendments, 35 U.S.C. 112, objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-35 rejected under 35 U.S.C. 102(e) as being anticipated by Vaithilingam et al. (hereafter Vait) (U.S. Patent No. 6,411,724).

Regarding claims 1, 6, 10, 15, 19, 24, 28 and 32, Vait discloses a method/system of forming a semantic description for content data, comprising the steps of: (title, and col. 8, lines 2-5)

Storing a plurality of component semantic descriptions in a distributed manner and remotely from said content data (figs. 1 and 2, col. 3, lines 21-43, and col. 7, lines 38-61),

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(Note: multimedia information "content data" may be stored in one place i.e., repository, distributed, relational or object oriented data base [col. 3, lines 21-43], which implies structure and may be clustered by type [fig. 1], further, descriptors and meta-descriptors "component semantic descriptions" may be stored in storage [120] which is other memory space and may be as specific as storage of multimedia information or as diverse as internet [col. 7, lines 38-56], which at least implies distributed, remote from multimedia information second storage type), and retrieving plurality of component semantic descriptions (fig. 2, items 110-114 and 132, see also col. 2, lines 50-64) wherein said retrieving is performed according to reference information associated with the content data (fig. 1 and fig. 2, items 110-114 and 132, see also col. 2, lines 50-64); and,

generating a semantic description for said content data using some component semantic descriptions and reference information associated with said content data (fig. 2, items 120 and 132), wherein said semantic description describes an underlying meaning of said content data (fig. 2, block 133 and 134) rather than what is in said content data (cols. 10 and 11, TABLE 1, Category Type; i.e., Subjective, Production, Concepts) and wherein said reference information (fig. 3, MM_SOURCE) includes **one** of location of said semantic component, identity of said component semantic descriptions needed to create said semantic description, and manner of processing said component semantic descriptions to create said semantic description (fig. 3, MM_SOURCE specific LINKS, and col. 10, lines 27-33).

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Regarding claims 2, 3, 11, 12, 20, 21, 29 and 30, Vait discloses modifying and extracting one or more component semantic descriptions to generate the semantic description (col. 10, lines 33-36).

Regarding claim 4, 13, 22 and 31, Vait discloses combining one or more component semantic descriptions to generate the semantic description (col. 10, lines 26 and 27).

Regarding claim 5, 14 and 23, Vait discloses the method of claim 1 is performed in response to a request for said semantic description (col. 2, lines 39-49).

(Note: query is a request)

Regarding claims 7, 8, 16, 17, 25, 26, 33 and 34, Vait discloses an internet network and using URIs to each component semantic description stored on the internet to facilitate access (col. 8, lines 47-52).

(Note: URL link along with a primary key identifier is equivalent to a URI's function)

Regarding claim 9, 18, 27 and 35, Vait discloses component semantic descriptions are stored in a control dictionary (col. 6, lines 58-65 and col. 7, lines 2-8).

(Note: a predefined, updateable standard notation stored in a controlled facility is a control dictionary)

Response to Arguments

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Applicant's arguments filed on December 19, 2005 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Applicant argues on pages 13 and 14 of the 12/19/05 response that Vait does not teach the amended feature of the independent claims of storing both, distributed and remote from content data a plurality of component semantic descriptions.

Examiner disagrees. Multimedia information "content data" may be stored in one place, repository, distributed, relational or object oriented data base [col. 3, lines 21-43], which implies structure and may be **clustered by type** [fig. 1], further, descriptors and meta-descriptors "component semantic descriptions" may be stored in storage [120] which is other memory space from where the multimedia information is stored, and may be as specific as storage of multimedia information or as diverse as internet [col. 7, lines 38-56], which at least implies distributed, remote from multimedia information second storage type of descriptors and meta-descriptors.

With respect to all the pending claims 1-35, Examiner respectfully traverses Applicant's assertion based on the discussion cited above, as such, Examiner maintains the same rejections.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R. Filipczyk whose telephone number is (571) 272-4019. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF

February 22, 2006

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER